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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CRAIG, PAULA L

ART UNIT PAPER NUMBER

3761

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/736,494

Applicant(s)

6
MITSUI ET AL.

Examiner

Paula L. Craig

Art Unit

3761

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. The objection to the specification and rejection of Claim 10 under 35 U.S.C. 112 are withdrawn, based on Applicant's amendments filed October 26, 2005. Applicant's arguments with respect to the rejections of claim(s) 1-11 under 35 USC 102 and 103 over Yoshioka '798; Yoshioka and Capik; Yoshioka, Capik and Colton; Yoshioka and Duchane; and Yoshioka and Newkirk; have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, in light of Applicant's amendment, new grounds of rejection are made for Claims 1, 4, and 6-11.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 16-18 are rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 4,874,451 to Boger et al.
4. For Claim 16, Boger teaches a disposable wearing article comprising a pair of sheets and a liquid-absorbent core located between the sheets (Fig. 1 and col. 1, lines 15-28). Adhesive lines permanently bond at least two of the core and the sheets together (col. 1, lines 28-35). Each of the adhesive lines is applied on at least one surface of the core and the sheets (col. 1, lines 28-35). First zones and second zones are alternately arranged along the adhesive line (first zone is the part of line having

adhesive, second zone is the part lacking adhesive; note the claim does not require a continuous adhesive line; Fig. 1 and col. 1, lines 28-35). Boger teaches the core and sheets being bonded to each other more strongly in the first zones than in the second zones (col. 9, lines 7-20). The first zones are distributed at substantially equal spacings along the respective adhesive lines (Fig. 1).

5. For Claim 17, Boger teaches the adhesive lines being straight, parallel lines (Abstract and Fig. 1).

6. For Claim 18, Boger teaches the adhesive lines being non-intersecting and each of the adhesive lines not intersecting itself (Abstract and Fig. 1).

Claim Rejections - 35 USC § 103

7. Claims 1, 4, 6-8, and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka '798 in view of U.S. Patent No. 5,882,573 to Kwok et al.

8. For Claim 1, Yoshioka '798 teaches a disposable wearing article having a pair of sheets, a liquid-absorbent core interposed between the sheets, and adhesive lines permanently bonding at least two of the core and the sheets together (Fig. 1). The adhesive lines are applied on at least one surface of the sheets and continuously extend in a given direction; each of the adhesive lines have first zones and second zones alternately arranged along the adhesive line; each of the first zones contains a greater amount of adhesive material or has a greater thickness of the adhesive material than each of the second zones, as indicated in the prior Office Action. Yoshioka '798

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does not expressly show the first zones being distributed along the adhesive lines at regular intervals. Kwok '573 teaches systems for applying adhesives to disposable wearing articles such as diapers (col. 1, lines 15-30 and col. 4, lines 38-46). Kwok '573 teaches first zones being distributed along the adhesive lines at regular intervals (see intersections at regular intervals, Fig. 1). The Kwok '573 systems are indicated as providing for economical adhesive application which is accurately controllable and adaptable to many patterns of application (col. 2, lines 63-65, col. 3, lines 6-20, col. 9, lines 38-67). It would have been obvious to one skilled in the art at the time of the invention to modify Yoshioka '798 to include first zones being distributed along the adhesive lines at regular intervals, as taught by Kwok '573, to provide for economical and accurately controllable adhesive application.

9. For Claims 4 and 6, Yoshioka '798 teaches the claimed ranges, as described in the previous Office Action.

10. For Claim 7, Yoshioka '798 teaches the claimed mixture, as described in the previous Office Action.

11. For Claims 8, 10, and 11, Yoshioka '798 teaches these limitations, as described in the previous Office Action.

12. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshioka '798 in view of Kwok '573 as described above, and further in view of Newkirk.

13. For Claim 9, Yoshioka '798/Kwok '573 teach all the limitations of Claim 1, as described above in paragraph 8. Newkirk teaches the sheets being formed from the claimed composite sheet, as described in the previous Office Action.

14. Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwok '554 in view of Yoshioka '798.

15. For Claim 16, Kwok '554 teaches an adhesive application system which applies adhesive in first zones (adhesive droplets 22, Fig. 1 and col. 3, lines 34-44) and second zones (spaces between the droplets). The first zones are distributed at substantially equal spacings along the respective adhesive lines (Fig. 1). Note that the claim does not require a continuous adhesive line. Kwok '554 does not expressly teach a disposable wearing article, but teaches the use of the system for general adhesive application. Kwok '554 indicates that the system is economical and improves efficiency (col. 1, lines 6-18). The distribution of first and second zones in Kwok '554 would bond more strongly in the first zones than in the second zones. Yoshioka '798 teaches a disposable wearing article having a pair of sheets, a liquid-absorbent core between the sheets, and adhesive lines bonding the core and the sheets (Fig. 1). It would have been obvious to one skilled in the diaper art to use the adhesive system of Kwok '554 to apply adhesive to a diaper such as the absorbent article of Yoshioka '798, to improve economy and efficiency of the adhesive application.

16. For Claim 19, Kwok '554/Yoshioka '798 teach the adhesive lines having intersections at which first zones are not located. See Kwok '554, Fig. 1.

17. Claim 20 is rejected under 35 U.S.C.103(a) as being unpatentable over Kwok '554 in view of Yoshioka '798 as described above, and further in view of Kwok '573.

18. For Claim 20, Kwok '554/Yoshioka '798 teach all the limitations of Claim 16, as described above in paragraph 15. Kwok '554/Yoshioka '798 teach that the vacillation of the adhesive flow may be periodic and that amplitude and frequency may be varied, and also that at least one of the first zones on each line is not located at an intersection (Fig. 1 and col. 3, lines 56-63). Kwok '554/Yoshioka '798 do not expressly teach the adhesive lines being spiral lines. Kwok '573 teaches the adhesive lines being spiral lines each of which intersects itself at a plurality of intersections (Fig. 1). The Kwok '573 systems are indicated as providing for economical adhesive application which is accurately controllable and adaptable to many patterns of application (col. 2, lines 63-65, col. 3, lines 6-20, col. 9, lines 38-67). It would have been obvious to one skilled in the art to modify the adhesive application of Kwok '554/Yoshioka '798 to include spiral lines and plural intersections, as taught by Kwok '573, to improve economy and make the application more controllable.

Allowable Subject Matter

19. Claims 2, 3, 5, and 12-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

20. The following is a statement of reasons for the indication of allowable subject matter: The closest prior art is considered to be Yoshioka '798, Kwok '573, Kwok '554, Boger, Capik, Duchane, and Colton. For Claim 2, the prior art of record does not show continuous adhesive lines having first and second zones with the first zones having three or more times the amount of adhesive material, with the first zones being distributed at regular intervals along the adhesive line, and the claimed ranges of adhesive amounts. For Claim 3, the prior art does not show three layers of adhesive material placed upon one another in the thickness direction where the second zone includes a single layer of adhesive material. For Claim 5, the prior art of record does not show the claimed widths of the adhesive line with the width of the first zone being three or more times greater than the width of the second zone. For Claims 12-15, the prior art does not show the continuous adhesive lines being straight parallel lines, non-intersecting adhesive lines, adhesive lines having intersections at which first zones are not located, and first zones on spiral lines not located at the intersections.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

22. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula L. Craig whose telephone number is (571)272-5964. The examiner can normally be reached on 8:30AM-5:00PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tanya Zalukaeva can be reached on (571)272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paula L Craig
Examiner
Art Unit 3761

PLC

TATYANA ZALUKAEVA
SUPERVISORY PRIMARY EXAMINER

